

PATENT  
Attorney Docket 054160-5012-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Application of:

Shigeru YAO *et al.*

Application No. 10/785,413

Filed: February 25, 2004

For: POROUS INSULATING FILM AND ITS  
LAMINATES

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Art Unit: **Not Assigned**

Examiner: **Not Assigned**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**SECOND PRELIMINARY AMENDMENT**

Prior to examination of the above-referenced continuation application on the merits,  
please enter the following amendments:

04/13/2004 EFLORES 00000147 500310 10785413

|            |           |
|------------|-----------|
| 01 FC:1001 | 770.00 DA |
| 02 FC:1203 | 290.00 DA |
| 03 FC:1051 | 130.00 DA |



#

PATENT  
Attorney Docket 054160-5012-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Shigeru Yao *et al.*** )  
 )  
Application No. **10/785,413** ) **Art Unit: Not Assigned**  
 )  
Filed: **February 25, 2004** ) **Examiner: Not Assigned**  
 )  
For: **Porous Insulating Film and its Laminates** )

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window,  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**TRANSMITTAL FOR PRELIMINARY AMENDMENT**

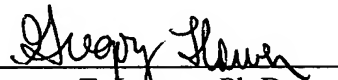
1. Transmitted herewith is a Second Preliminary Amendment.
2. Additional Papers Submitted:  
(i) Second Information Disclosure Statement  
(ii) Form PTO-1449 (2 pages)  
(iii) Copy of Japanese Patent Application No. 2-2856 with partial English translation.
3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. However, if an extension of time is required, please consider this a Petition therefore.
4. Amendments: Prior to calculation of the application filing fee, please note that claims 1-14 have been cancelled and new claims 15-27 have been added in the attached Second Preliminary Amendment
5. Fee Calculation (37 C.F.R. § 1.16):

| CLAIMS AS AMENDED FOR FEE CALCULATION       |              |       |                 |                    |
|---|--------------|-------|-----------------|--------------------|
|   | Number Filed | Extra | at Rate of      | Basic Fee \$770.00 |
| Total Claims                                | 1 – 20       | 0     | \$ 18.00 each = | +\$00.00           |
| Independent Claims                          | 1 – 3        | 0     | \$ 86.00 each = | +\$00.00           |
| Multiple dependent claims                   |              |       | \$290.00        | +\$290.00          |
| Sub-total =                                 |              |       |                 | \$1,060.00         |
| Reduction by ½ for filing by a small entity |              |       |                 | -\$0.00            |
| Total Filing Fee =                          |              |       |                 | \$1,060.00         |

6. Fee Payment: The Commissioner is authorized to charge **\$1,190.00** to Deposit Account No. 50-0310 for payment of the application filing fee (\$770.00), first presentation of multiple dependent claim fee (\$290.00), and the missing parts surcharge fee (\$130.00).
7. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **April 9, 2004**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-739-3000  
Fax: 202-739-3001

Respectfully submitted  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
Gregory T. Lowen, Ph.D.  
Registration No. 46,882  
Tel: 202-739-5915